

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**KENDALL OLIN-MARQUEZ**, on behalf of  
herself and others similarly situated,

**Plaintiff,**

**v.**

**ARROW SENIOR LIVING  
MANAGEMENT, LLC,**

**Defendant.**

**Case No. 2:21-cv-996**

**JUDGE EDMUND A. SARGUS, JR.**

**Magistrate Judge Chelsey M. Vascura**

**ORDER**

The matter is before the Court on the parties' Amended Joint Motion to conditionally certify Plaintiff Kendall Olin-Marquez' proposed Fair Labor Standards Act ("FLSA") collective (the "Joint Motion").<sup>1</sup> (ECF No. 66.) Attached to the Joint Motion are the parties' proposed notice and consents forms. (Ex. B, ECF No. 66-2; Ex. C, ECF No 66-3.)

For good cause shown, the parties' Joint Motion is **GRANTED**. Accordingly, pursuant to § 216(b) of the FLSA, the Court **CONDITIONALLY CERTIFIES** the following class set forth therein:

All current and former hourly, non-exempt employees at any Arrow senior living community in Ohio who (1) were paid for forty (40) or more work hours in any workweek they were required to have a meal break deduction taken from their compensable hours worked and/or (2) were paid for more than forty (40) hours work hours in any workweek that they received nondiscretionary bonus payments, such as a retention bonus (often called a "Sign On Bonus") or a shift pick-up bonus, for working extra shifts or hours beyond what the employee was scheduled to work from June 7, 2018 to the present.

(*Id.* at ¶ 2.)

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<sup>1</sup> Also pending before the Court are Defendant's Motion to Dismiss for Lack of Personal Jurisdiction and Motion to Transfer Venue, (ECF Nos. 49, 50), which Defendant has not "waive[d]" by stipulating to conditional certification (ECF No. 66 at ¶ 9). Those motions will be addressed in a separate, forthcoming order.

Additionally, the Court:

1. **APPROVES** the parties' proposed notice and consent forms. (Ex. B, ECF No. 66-2; Ex. C, ECF No. 66-3.)
2. **APPROVES** the parties' limited opt-in discovery plan and **ORDERS** Defendant Arrow Senior Living Management, LLC to comply with the terms set forth therein. (ECF No. 66 at ¶ 5.)
3. **APPOINTS** Plaintiff Kendall Olin-Marquez as the Representative Plaintiff of her putative FLSA collective.
4. **APPOINTS** Matthew J.P. Coffman of Coffman Legal, LLC and Shannon M. Draher of Nilges Draher LLC as Lead Counsel for Plaintiff's putative FLSA collective.

This case is to remain open on the docket of this Court.

**IT IS SO ORDERED.**

2/10/2022  
DATE

s/Edmund A. Sargus, Jr.  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**